



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**MINUTES
KAUAI / NIIHAU ISLANDS BURIAL COUNCIL MEETING**

DATE: TUESDAY, MAY 2, 2006
TIME: 9:00 A.M.
PLACE: KAUAI COUNTY COUNCIL CHAMBERS
5396 RICE STREET
LIHUE, HAWAII 96766

ATTENDANCE

Members

John Kruse	Sandra Quinsaas
Donna A'ana-Nakahara	Leiana Robinson
Mark Hubbard	Tom Shigemoto
Grace Kamai	Henrietta Thaxton
Catherine Pfeffer	Presley Wann (Late)

Absent

Barbara Say (Excused)

Staff

Nancy McMahon, SHPD Kauai Archaeologist
Vince Kanemoto, Deputy Attorney General

Guests

Jim Powell, SCS
Will Summerhays, Poipu Beach Villas LLC
Hal Hammatt, CSH
MaryAnne Kusaka, Coco Palms Ventures LLC
Jim Peterson, Meryl Homes

I. CALL TO ORDER & ROLL CALL

Meeting was called to order by Acting Chair John Kruse at 9:10 a.m.

II. OPENING REMARKS

The agenda was approved and Kruse stated his concerns about all the work LaFrance Kapaka-Arboleda did as the Chair of this council. It was a big job and hard to fill. There

was a discussion about the members whose terms were up in June 2006: Shigemoto, Kamai and Pfeffer. Pfeffer was working with the office on renewing her term. Shigemoto and Kamai recommended replacements to their seats on the council.

III. APPROVAL OF DECEMBER 6, 2005 MEETING MINUTES

A motion was made to accept the December 6, 2005 Minutes. (Hubbard/A'ana-Nakahara).

Vote: All in Favor. Motion carries.

IV. BUSINESS

A. Election of Chair and Vice-Chair [§6E-43.5(f)(4), HRS, §13-300-24(e), HAR, and §92-9(a)(3), HRS]

Acting Chair Kruse stated his concerns about his busy schedule and fulfilling Chair responsibilities but would like to remain as Vice-Chair.

Ballots were submitted to each member and nominations were made. The vote count was as follows:

Mark Hubbard	6 Votes
John Kruse	1 Vote
Donna A'ana-Nakahara	1 Vote

Mark Hubbard assumed the duties as Chair.

B. Burial Component of a Data Recovery Plan for Inadvertently Discovered Remains in Kapaa Town: Reburial at Kapaa Lookout Kapaa Ahupuaa, Kawaihau District, Island of Kauai [TMK: 4-6-014: 36, 100]

Jim Powell, SCS, made a presentation of the reinterment areas as part of the bikeway plan and the 30 foot buffer around the site. Powell circulated the new plans.

A motion was made for approval of the plan. (Shigemoto/Kamai)

VOTE: ALL IN FAVOR. Motion carries.

C. Burial Treatment Plan for Poipu Villas Project Koloa Ahupuaa, Koloa District, Island of Kauai [TMK: (4) 2-8-015: 051, 052, 074]

Hal Hammatt, CSH, made a presentation of his inventory of the tooth and phalange that were discovered in the lava tube. He included an addendum that he received from Hanohano and his comments about the Burial Treatment Plan. The council discussed the development plans around the lava tube and wanted to see drawings of the area. Neither, the developer or CSH, had the plans with them at this meeting.

A motion was made to defer Agenda Item IV - C so that Agenda Item IV - D could be addressed. (Kruse/Shigemoto)

VOTE: 9 in favor; Shigemoto abstained. Motion carries.

D. Lineal/Cultural Descendants Claim

**Burial Treatment Plan for Poipu Villas Project
Koloa Ahupuaa, Koloa District, Island of Kauai
[TMK: (4) 2-8-015: 051, 052, 074]**

McMahon read into the record a staff recommendation memo from Piilani Chang on the recognition of Hanohano as a cultural descendant to the remains at Poipu Villas Project.

A motion was made to recognize Kalanikumai Ka Maka ‘O Na Ali‘i Hanohano as a cultural descendant to the remains found at the Poipu Villas Project. (Shigemoto/Pfeffer)

VOTE: ALL IN FAVOR. Motion carries.

The council returned to discussion on Agenda Item IV – C: Burial Treatment Plan for Poipu Villas Project in the Koloa Ahupuaa, Koloa District, Island of Kauai.
[TMK: (4) 2-8-015: 051, 052, 074]

The council expressed their concerns about other inadvertent burials in the area and wondered what was done with other areas in the past. They were also concerned with the close proximity of the buildings to the lava tube. They asked if Hanohano saw the development plans and if he expressed any concerns. Kanemoto stated that the council is only voting on preservation in place or relocation. The department determines the buffers and has 90 days to approve the burial treatment plan once the council has made a decision to insert their concerns into the plans.

A motion was made to defer a determination of preservation in place or relocation until the council receives the development plans and comments from the recognized cultural descendant, Hanohano, regarding the development plans in writing or at the next KNIBC meeting. (Wann/Thaxton)

VOTE: ALL IN FAVOR. Motion carries.

**E. Burial Treatment Plan for Kapalawai Resort Project
Makaweli Ahupuaa, Waimea District, Island of Kauai
[TMK: (4) 1-7-005: 001 por.]**

Hal Hammatt, CSH gave a presentation of his inventory and discovery of the burial.

A motion was made to approve the preservation in place of the one burial found at the Kapalawai Resort project. (Shigemoto/Kamai)

VOTE: ALL IN FAVOR. Motion carries.

A motion was made to accept the burial treatment plan. (Shigemoto/Kruse)

VOTE: ALL IN FAVOR. Motion carries.

**F. Informational Update for the Wailua Golf Course/Coastal Path Alignment
[TMK: (4) 3-9-02: por 4]**

Jim Powell gave a presentation of the new plans near previously identified burials and preserve mound in the golf course parking lot.

A motion was made for the approval of the path alignment plan near the burial site. (Wann/Shigemoto)

VOTE: ALL IN FAVOR. Motion carries.

V. INFORMATIONAL UPDATES – DHHL LANDS

A. Anahola/Kamalomaloo [TMK: (4) 4-7-4]

Update by Jim Powell, from SCS, on the reburial at Anahola and Kamalomaloo.

B. Kekaha [TMK: (4) 1-2-002: 032]

Jim Powell, from SCS, gave an update on the planned reinterment in Kekaha for the human remains found at the DHHL project.

VI. CASE UPDATES – INADVERTENT DISCOVERIES

**A. Single Family Residence [TMK: (4) 1-3-005: 045 unit 1]
Kekaha Ahupuaa, Waimea District, Island of Kauai**

Hal Hammatt, from CSH, gave a presentation on the monitoring and burial disinterment at this residence. The burial will be reinterred on the property after the project is completed.

**B. Inadvertent Discovery in Anahola [TMK: (4) 4-8-007: 001]
Anahola Ahupuaa, Kawaihau District, Island of Kauai**

McMahon briefed the council on the inadvertent discovery of a human jaw bone that was found on April 15, 2006, on the river bank in Anahola. Reburial is pending on the location.

VIII. ADJOURNMENT

Chair Hubbard thanked the guests who attended and made presentations. The meeting was adjourned by Chair Hubbard at 10: 55 a.m.

Respectfully Submitted,

Nancy McMahon, SHPD Kauai Archaeologist &
Piilani Chang, SHPD Cultural Historian